

STATE OF MINNESOTA

IN DISTRICT COURT

COUNTY OF STEARNS

SEVENTH JUDICIAL DISTRICT

Court File No. 73-CU-08-14472

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**In the Matter of the Stearns County Auditor's  
Petition for Ex Parte Order Securing Ballots**

**Order**

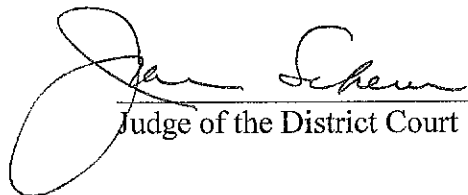
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The Petition of Stearns County Auditor-Treasurer is hereby GRANTED. The ballots cast in Stearns County in the election for United States Senate shall be secured in accordance with the following terms of and conditions:

1. Except when needed for official purposes, the ballots shall at all times remain under lock and key in the Stearns County Administration Building in a room containing windows.
2. Only two keys to the ballot storage room are in existence and shall be maintained in the possession of David Walz and Roxanne Gerads of the Stearns County Auditor staff and shall not be loaned to any other person for any purpose.
3. Only Stearns County Auditor-Treasurer election staff may enter the ballot storage room and no less than two staff shall enter the room at any one time.
4. A log, including the time, date and purpose, shall be kept of all election staff entering the ballot storage room.
5. In accordance with Minn.Stat. § 209.05, no more than two representatives of any Senate campaign may "keep visual guard over the ballots". Visual guard does not include entering the ballot storage room and may only be maintained during those hours when the Administration Center is open to the general public.

6. Any Senate campaign requesting to maintain "visual guard" over the ballots shall certify to the Stearns County Auditor a written roster containing the names of those individuals who are to represent the campaign, along with a schedule of when "visual guard" duties will be performed. The Stearns County Auditor shall be informed in writing of any subsequent changes to the roster.
7. Any Senate campaign requesting to maintain "visual guard" over the ballots shall provide to the Stearns County Auditor the proof of notification to other Senate campaigns required by Minn.Stat. § 209.05 prior to commencing "visual guard" over the ballots.
8. The Stearns County Sheriff's Office is authorized and directed to take all steps necessary and proper to enforce the provisions of this Order.
9. A copy of this Order shall be posted on the door of the ballot storage room.
10. The Stearns County Auditor shall cause a copy of this Order to be provided, via facsimile or mail, to any Senate campaign requesting to maintain visual guard over the ballots.
11. Any person aggrieved by or seeking redress in relation to the terms of this Order may, upon notice to the Stearns County Auditor and Minnesota Secretary of State, petition the court for appropriate relief.

IT IS SO ORDERED.

Dated: 11-7-08

  
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Judge of the District Court

<b>FILED</b>	<u>11-7-08</u>
<b>Stearns County District Court</b>	
By: <u>Janine G.</u>	
Deputy	